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REMARKS

Favorable reconsideration of this application is respectfully requested. Claims 1, 10, and 21 are amended to remove the term "hemoglobin degradation product." Claims 1 and 21 are further amended to include the sulfur-containing compound "sodium lauryl sulfate" and include "by adding an oxidative enzyme" in the step of forming an oxidizing substance. These revisions are supported, throughout Applicants' disclosure and for example at page 14, lines 26-35. Claim 20 is canceled without prejudice or disclaimer. No new matter has been added. Claims 1, 3, and 6-19 and 21 are pending.

Claims 1, 3, and 6-21 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The rejection is rendered moot, as the term "hemoglobin degradation product" has been removed from the claims. Further, claim 20 has been canceled. Applicants do not concede the correctness of the rejection, however, they request that the rejection be withdrawn because the language at issue has been removed.

Claims 1, 3, and 6-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Komori et al. (US 2002/0025546) in view of Oshiro et al. Applicants respectfully traverse this rejection to the extent it is maintained.

There is no reasonable suggestion or motivation to combine of Komori et al. with Oshiro et al. in leading to the features of claims 1 and 21, which require adding an oxidative enzyme in the step of forming an oxidizing substance or a reducing substance derived from the analyte to be measured. Oshiro et al. is directed to the "SLS method," which is known to be difficult to carry out measurement and determination of an analyte with enzymes. In support of this, Applicants respectfully submit a copy of copending Application Publication No. US 2003/0186449 describing that SLS is not preferable for use with enzymes in methods for measuring an analyte, as the reagent used affects the system of determination utilizing an enzyme, which thereby makes determination difficult. (See page 1, paragraph [0004].) Therefore, those of skill in the art would not reasonably combine Komori et al., which is directed to a method of measuring a substance by use of enzymes, with Oshiro et al., since the SLS method of Oshiro et al. is not desired for use with enzymes. In fact, the method of Oshiro et al. is based on denaturation (degeneration) of proteins (hemoglobin) by SLS and strong alkali agent (SLS method), and the method of Komori et al. is based on enzyme activity. Such

approaches are completely different from each other and such a combination is further removed. For at least the foregoing, Applicants respectfully submit that claim 1, its dependents, and claim 21 are allowable over the art of record.

Lastly, claim 20 has been canceled rendering the rejection no longer applicable to this claim. However, Applicants do not concede the correctness of the rejection of claim 20.

Favorable reconsideration is respectfully requested.

With the above amendments and remarks, Applicants believe that the pending claims are in a condition for allowance. Favorable consideration in the form of a Notice of Allowance is respectfully requested. If any further questions arise, the Examiner is invited to contact Applicants' representative at the number listed below.

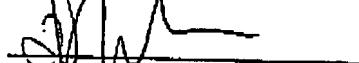


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Respectfully submitted,

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